

DOCKET FILE COPY ORIGINAL

RECEIVED & INSPECTED  
SEP 1 2004  
FCC - MAILROOM

Before the  
**Federal Communications Commission**  
Washington, D.C. 20554

In the Matter of: )  
 )  
Amendment of Section 73.202(b), ) MB Docket No. 04-194  
FM Table of Allotments, FM Broadcast Stations ) RM-10729  
(Creede, Colorado) )

TO: Audio Division

**PETITION TO TERMINATE PROCEEDING**

Meadowlark Group, Inc (hereinafter "MGI"), by its attorney, hereby respectfully requests the Audio Division to terminate the above-captioned proceeding, without making any changes in the Rules. In support thereof, it is alleged:

1. On May 21, 2004, the Audio Division released a *Notice of Proposed Rulemaking* (hereinafter "NPRM") in this proceeding, looking towards the following change in the FM Table of Allotments:

Channel No.		
Community	Present	Proposed
Creede, Colorado	----	261C2

The date for filing comments was set, *i.e.*, August 9, 2004. Reply comments were due for filing on August 24, 2004. Under date of June 16, 2004, MGI filed Comments opposing the proposed change in the Rules. The proponent of the rulemaking filed no comments, nor did it file any reply comments.

2. Paragraph 2 of the Appendix of the accompanying NPRM reads as follows:

No. of Copies rec'd 014  
List ABCDE

2. Showings Required. Comments are invited on the proposal(s) discussed in the *Notice of Proposed Rulemaking* to which this *Appendix* is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed allotment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is allotted and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

Thus, the Commission put the proponent on notice that if it did not restate its interest in the proposed rulemaking, the proposed rulemaking might be denied.

3. The proponent, having filed neither comments nor reply comments, it appears that the proposal has been abandoned. Therefore, this proceeding should be terminated without making any changes in the FM Table of Allotments.

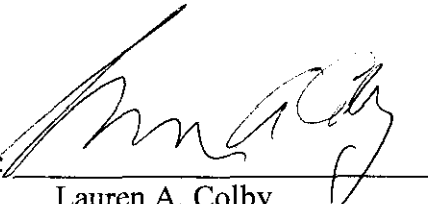
4. WHEREFORE, it is respectfully requested that this proceeding be terminated without making any changes in the FM Table of Allotments.

Respectfully submitted,

MEADOWLARK GROUP, INC.

August 31, 2004

Law Office of  
LAUREN A. COLBY  
10 E. Fourth Street  
P.O. Box 113  
Frederick, MD 21705-0113

By:   
Lauren A. Colby  
Its Attorney

**CERTIFICATE OF SERVICE**

I, Kelli A. Muskett, a secretary in the law office of Lauren A. Colby, do hereby  
certify that copies of the foregoing have been sent via first class, U.S. mail, postage  
prepaid, this 31<sup>st</sup> day of August, 2004, to the offices of the following:

Marissa G. Repp, Esq.  
Hogan & Hartson, LLP  
Columbia Square  
555 Thirteenth Street, N.W.  
Washington, D.C. 20004-1109  
Attorney for Citicasters Licenses, L.P.  
and Jacor Broadcasting of Colorado, Inc.



Kelli A. Muskett